

THE

TRIAL

Capt. Thomas Wallcot,

High-TREASON.

In Conspiring to compass the Death of
His Majesty, and to Subvert the Government.

Who was Tryed this 12th. of July, at the Sessions-House
in the Old-Bayly, and there found Guilty of the said High-Treason.

Being an Impartial Relation of the most Materials during the said Trial.

As likewise what occurred to Relation to

James Duke of Monmouth, Ford Lord Grey,
And others.

This day the Session of Oyer and Terminer began in the Old-Bayly, where after some Proceedings against Felons, &c. the Grand Jury for London found the Bills of High-Treason against James, Duke of Monmouth, Ford Lord Grey, Captain Thomas Wallcot, John Kense, William Blake, William Howe, and divers others; whereupon the four last, viz. Wallcot, Kense, Howe, and Blake, were brought to the Bar and there severally Arraigned for High-Treason, in Conspiring the death of the King, &c. after which, Captain Thomas Wallcot was alone brought to his Trial, and having put himself upon God and his Country, was ordered to look to his Challenges, as the Jurors came to the Book to be Sworn, of which he excepted against about Ten or Eleven, and the Kings Counsel set against one.

The Court having thus far proceeded, the Indictment was Read, the substance of which was, That he Thomas Wallcot, the Prisoner at the Bar had on the second of March last past, and at divers other times, Conspired with many Traytors, whose Names were therein recited, in the Parish of St. Nicholas Basson, and in sundry other places, to Depose the King from his Right and Title to the Kingdom of England, &c. And not onely so, but Him to Assassinate, and to his destruction, and to Subvert the Government, to raise Rebellion amongst the Land, and a miserable Slaughter to make amongst his Subjects throughout the Kingdom and that in order therunto, he had provided Arms, as Blunderbusses, Muskets, Pistols, &c.

After this, Mr. North one of the Kings Counsell opened the nature of the Fact, also what particulars the Evidence were to give, and declared the Hanoniousness of the Fact, being seconded by Mr. Attorney General, who at large declared the Conspiracy, as it was laid in all or most of its Circumstances; now, according as the Evidence had Deposed in Counsel, it was Contrived, Managed, and carried on. And after him, Mr. Sergeant Jeffries laid down such Material Points as the other had Omited, expressing the Hanoniousness of the Crime, declaring and laying open at large, the Damnable Treason and Conspiracy, desiring the Jury well

to consider the weight of the Cause they were to determine; and adding, that if the several particulars were proved against the Prisoner by the Witnesses for the King, who had been for the most part prior to the whole Design, they would like good *Englishmen* and *Christians*, find the *Traitor* Guilty.

The King's Council having layed open the Indictment, the Evidence were called; the first was Colonel *Lawley*, who deposed, That for a considerable time past, there had been a Design carryed on by divers disaffected Conspirators, against the Life of His Sacred Majesty, and that in order thereto, divers Consults had been hold, an Umtery Device proposed, to bereave H^s Majesty of His Life and Crown; and that at most of those Consults, Captain *Walcot* had been present, and consenting to the Models layed and designed, to effect the horrid Treason, to raise a Rebellion throughout the Kingdom, upon the legal Line, and repose the power in the People, till such time as should be proceeded, to settle a Form of Government amongst themselves, and appoint Rulers and Officers to manage the Affairs relating to Government; and considered what numbers might be raised in such places, where the Conspirators had most Intrell, yea, at least, being to be raised in *Wiltshire*, from whence this Design was in hand, another was thought of, which was to Assassinate the King, in his return from *New-Market*, the last time he was there; And Consistently and Overtly being so far being thus layed, several persons were consulted their Interests, to raise Men for that purpose, who were with Carbines, Musquets, Pistols, &c. to be Armed, and lye in Ambuscade in *Russells* the *Admiral's* House, near *St. Dunstons*, and to send several persons in Country Habits to over-throw a Cart, to stop the Passage of a Lane, the King's Coach was to pass; Upon which designed stop, about fifty Men well appointed, were to have Sallyed out, *Russells* being appointed to kill the King, and the Duke of *York*, others to Kill the Horsec, Coach-man, and Postilion, and the Prisoner, with a Commanded party, to fight the Guard himself; as he declared to the Evidence, thinking it the heavier part of the Action, as thinking it beneath him to Assassinate a Naked Man; but this Plot miscarried by reason of the Fire, given to the *Admiral's* House, which was put to take away the Life of the *Admiral*, the Conspirators meeting frequently to Consult how to bring about their pernicious Design: all which by the Discovery, were frustrated.

The next Evidence that appeared, was Mr. *Aspin*: who declared, That he had been privy, for some Months past, to the Conspiracy, and had been at divers Consults, wherein the Destruction of the King was proposed and agreed on as the only expedient to further their purpose; and that by *Aspin*, and others, he had been solicited to raise men for the *New-Model* Expedition; which he at first refused; and that at another time, when Prisoners had been at several Consults, and approved of the proceeding, himself bringing in a political Command; and to be aiding in the Assassinating the King; and being by the Court demanded what induced him to discover; he declared, It was the secret impulse of his Tormented Conscience, which would not suffer him to rest till his guilt was made known. This being the substance of his Deposition, Mr. *North* was Sworn, who gave Evidence in Effect to deny the former Evidence; Then Mr. *Wall* rose up, and declared the manner of the Conspiracy, and the Plot together with the several Treasonable and wicked Designs, which he said he had taken effect; also the many other wicked Designs to take away the Life of his King; as at the *Blue House*, *Ball Room*, and many times coming from *Woolley* to his Barrer; declaring also he had bought Arms for this purpose, and many other Circumstances; charging the Prisoner in particular. There were likewise two others, called *de la Band* and *James de la Cote*, sworn to affirm, that to improve the *Parquet of the Army*, in men whereof he composed a Regiment, he had taken away the *Colonel*, *Major*, and *Holland*; which, as he said, none could do better than himself. Another was introduced, called *Christian Kitchin*, who affirmed, that he had been a private Counsel to *Aspin*, and Mr. *Wall*, being Friends of his in their Studies; he had pulled together, his Acquaintance with the most part of his people; he alledging himself indited by the Court at the time, when alledged he went to the *House of Commons*; House was for the purpose, and the impossibility of his bringing much more to pass as were Sworn against him; yet Countering that he had often conversed himself with the Conspirators, but hoped though he had some Knowledge of the Design, that it would amount to no more than suspicion of Treason; but being desired of his Knew by the Court, after the Evidence was shewed up, and the Charge given, the Jury after a short Debate, found him Guilty of the Treason, as the Judgment lay.